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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. ....09/396,702  
Filing Date ..... September 15, 1999  
Inventor..... Anoop Gupta et al.  
Group Art Unit .....2175  
Examiner ..... Mofiz, A.  
Attorney's Docket No. .... MS1-302US  
Confirmation No. .... 7828  
Title: Interactive Playlist Generation Using Annotations

TERMINAL DISCLAIMER

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MAY 25 2004

Technology Center 2100

To: Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

From: Allan T. Sponseller (Tel. 509-324-9256 x215; Fax 509-323-8979)  
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Applicant submits herewith a terminal disclaimer to obviate the non-statutory double patenting rejection over U.S. Patent No. 6,230,172 to Purnaveja et al., assignee Microsoft Corporation.

The assignee, Microsoft Corporation, having one-hundred percent (100%) interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154-156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,230,172. The assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This assignment runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

1 In making the above disclaimer, the owner does not disclaim the terminal part  
2 of any patent granted on the instant application that would extend to the expiration  
3 date of the full statutory term as defined in 35 U.S.C. 154-156 and 173 of the prior  
4 patent, as presently shortened by any terminal disclaimer, in the event that it later  
5 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid  
6 by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally  
7 disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination  
8 certificate, is reissued, or is in any manner terminated prior to the expiration of its  
9 full statutory term as presently shortened by any terminal disclaimer.

10 The undersigned is an attorney of record and the terminal disclaimer fee  
11 under 37 C.F.R. 1.20(d) is included.

12 Respectfully Submitted,

13 Date: 5/19/04

14 By: 

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